

## REMARKS

This Amendment is submitted under 37 C.F.R. § 1.111 in response to the non-final Office Action mailed April 27, 2004, wherein claims 14 and 15 were allowed, claims 1, 3 – 5, 21 – 23, 25 and 26 were rejected for “obvious-type” double patenting, and claims 6 – 13, 16 and 24 were said to have allowable subject matter, but were objected to as being dependent on a rejected base claim. In addition, claim 1 was objected to due to a minor informality in the wording. No prior art rejections were made by the examiner. Apart from the correction of claim 1, no other claim amendments or additions are made by this amendment. Applicant is submitting a Terminal Disclaimer herewith, thereby overcoming all of the claim rejections and objections. Claims 1, 3 – 16 and 21 – 26 remain pending. Reconsideration and reexamination are respectfully requested.

Applicant wishes to thank the examiner for pointing out the wording error in claim 1, which has now been corrected.

## SUBMISSION OF TERMINAL DISCLAIMER

Claims 1, 3 – 5, 21 – 23, 25 and 26 were rejected for “obvious-type” double patenting over claim 1 of commonly assigned U.S. Pat. No. 6,518,096. Submitted herewith is Terminal Disclaimer pursuant to 37 C.F.R. § 1.321(c). It is submitted that the Terminal Disclaimer overcomes these rejections.

Claims 6 – 13, 16 and 24 were objected to on the basis that they depend on rejected base claims. However, with the filing of the Terminal Disclaimer, the base claims are allowable, and it is submitted that, therefore, the objections are no longer applicable. Thus, applicant has not amended any of the objected to claims.

## CONCLUSION

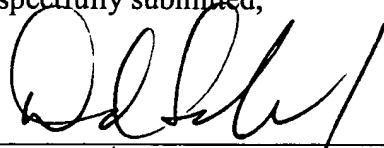
Applicants respectfully submit that the application is now in condition for allowance and action to that end is respectfully solicited. If the Examiner should feel that a telephone interview

would be productive in resolving issues in the case, he is invited to telephone the undersigned at the number listed below.

July 21, 2004

Sheppard Mullin Richter & Hampton LLP  
Four Embarcadero Center, 17<sup>th</sup> Floor  
San Francisco, CA 94111-4106  
Tel: (415) 434-9100  
Fax: (415) 434-3947

Respectfully submitted,

  
\_\_\_\_\_  
David Schnapf  
Registration No. 31,566